

REMARKS

The present communication is responsive to the Office Action mailed August 24, 2005.

Claim Amendments

Claims 1, 25 and 35 have been amended merely to incorporate the feature in now-cancelled claims 3, 27 and 37, respectively. Given that these amendments do not raise new issues requiring further searching, it is respectfully requested that the amendments be entered.

The Communication from 52A to 59A is Not a "Transaction."

Claim 1 recites "initiating the transaction as a local transaction . . ." The Examiner contends that "the local transaction" is "from client (module 52A, fig. 19) to communications facility (module 59A, fig. 19)." However, it is clear that "the transaction" to which the discussion of Fig. 19 refers is a transaction "involving a protected conversation between system 50A and 50D." To the contrary, the Examiner appears to be contending that the protected conversation between system 50A and 50D is a "global transaction." In any event, whatever communication is between module 52A and 59A, this is not a "transaction" at all. Rather, the communication between module 52A and 59A is merely a transfer of a request to initiate a the protected conversation. See, e.g., col. 13, line 68 to col. 14, line 2. ("Protected conversation adaptor 64a then sends the request to the conversation manager 53A which sends it to the communication facility.") In addition, see col. 42, lines 47-50, where Coleman states:

FIG. 19 block diagram and FIGS. 20A, 20B, 21, and 22 flowcharts illustrate by example the process for log name exchange involving a protected conversation between system 50A and 50D.

Thus, Fig. 19 does not illustrate a local transaction at all.

The Communication from 52A to 59A Being "The" Transaction is Inconsistent with the Protected Conversation between 50A and 50D being "The" Transaction.

If the Examiner insists on considering the communication between module 52A and 59A as "the transaction," then this is inconsistent with the Examiner considering the protected conversation between 50A and 50D as "the transaction." In particular, this is what the Examiner has done in rejecting claim 3, contending that the "global transaction" recited in claim 3 is the transaction that is also the local transaction.

That is, claim 3 (which has been cancelled by this amendment, and whose language has been incorporated into claim 1) recites, essentially, that "the transaction" is initiated as both a local transaction and a global transaction. See, for example, Applicant's specification at Fig. 3, where two branches of execution of the transaction are shown - (branch 322, 326 and 330; and branch 334 and 338).

By contrast, paraphrasing the Examiner's contentions with regard to Coleman, the Examiner contends the Coleman reference discloses "initiating a local transaction" [52A/59A] and "initiating a global transaction [50A/50D] after initiating the transaction as the local transaction." However, in the claim, the global transaction that is initiated is not just any global transaction (i.e., is not just a global transaction, as stated by the Examiner). Rather, the global transaction that is initiated is "the transaction" (i.e., the same transaction that is initiated as a local transaction). Clearly, the transaction 52A/59A and the transaction 50A/50D are not the same transaction and, thus, cannot both be "the transaction" recited in claim 3.

Lazily Determining Whether to Initiate the Global Transaction

The Examiner addresses the feature of "further including lazily determining whether to initiate the global transaction" by citing several portions of Coleman, and stating the following:

"Coleman teaches of a completion step in the method for executing an application program that includes both local and global transactions using a last resource 2-phase commit operation."

The Examiner does not address at all "lazily determining *whether to initiate* the global transaction.

Merely completing a global transaction does not mean that it was lazily determined whether to initiate the global transaction. Without more, the Examiner's contention is insufficient to support the rejection.

Claim Sets 25-28 and 35-40

Due to the similarity of the claims, the arguments set forth above with regard to claims 1-6 are incorporated herein in response to the rejection of claims 25-28 and 35-40.

Initiating the Transaction as a Local Transaction on the First Resource Manager without Knowledge of Whether the Transaction is More Appropriate to be a Local Transaction or a Global Transaction


With regard to claims 51-53, the Examiner has lumped together the rejection of the other independent claims with these new claims 51-53. However, the Examiner has not addressed the specific language in these claims that is unique to these claims. In particular, these claims have been drafted to emphasize the "without knowledge" aspect of initiating the transaction as a local transaction.

In Coleman, a "local transaction" [52A/59A] is initiated with full knowledge of its appropriateness (to the extent such a concept can even be applicable to the Coleman system). That is, otherwise, the transaction would not be made. Coleman makes no provision for an alternative to the "local transaction" if it is not appropriate.

CONCLUSION

It is respectfully submitted that this application is in condition for allowance. Notice to that effect is earnestly solicited. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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